7-11-01 MM

## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,

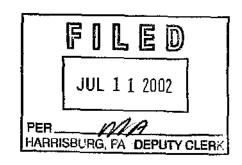
CIVIL NO. 1:CV-01-1057

**Plaintiff** 

v.

COMMONWEALTH OF PENNSYLVANIA; PENNSYLVANIA STATE POLICE; COL. PAUL J. EVANKO, COMMISSIONER; LT. COL. THOMAS K. COURY; and CPT. MICHAEL D. SIMMERS,

Defendants



## ORDER

Before the court is Defendants' motion *in limine* to preclude evidence relating to 1993 allegations of sexual harassment against Defendant Simmers. The court notes first that, to the extent Plaintiff considers this evidence relevant to Evanko's evaluation of the candidates for Director of Legislative Affairs Office, the same is not relevant as the promotion claim is not an issue in the captioned action. Second, the claims of sexual harassment were not sustained by arbitration and the court will not retry those 1993 claims. Third, sexual harassment is not an issue in this case, and fourth, the incident is too remote in time.

Accordingly, **IT IS HEREBY ORDERED THAT** Defendants' motion in *limine* is **GRANTED** and the 1993 allegations against Defendant Simmers is precluded.

United States Distric

Dated: July // , 2002.